

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 5, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: VAC-24711 – APPLICANT/OWNER: PENTECOSTAL TEMPLE  
CHURCH OF GOD IN CHRIST, INC.**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. The limits of this Petition of Vacation shall be defined as the public alley between Madison Avenue and Jefferson Avenue and between G Street and F Street, the excess rights-of-way along the south side of Madison Avenue, between G Street and F Street, the west side of F Street between Madison Avenue and Jefferson Avenue, the north side of Jefferson Avenue, between F Street and G Street and the east side of G Street, between Jefferson Avenue and Madison Avenue. Fifteen-foot radius corners will be retained at all public street intersections. Additional portions of radius corners that cannot be reserved through this action, if any, shall be dedicated to the City of Las Vegas prior to recordation of the Order of Vacation.
2. Public sewer easements shall be retained through this Petition of Vacation. Alternatively, a sanitary sewer relocation/abandonment plan must be submitted to and approved by the Department of Public Works. If relocation is proposed, the relocated sewer lines must be constructed and active prior to the recordation of the Order of Vacation.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
6. All development shall be in conformance with code requirements and design standards of all City Departments.

7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a Petition to Vacate a 20-foot wide public alley between F Street and G Street, approximately 140 feet south of Madison Avenue. The applicant also requests to vacate excess right-of-way around the perimeter of Block 19 of the HMF&M Addition, specifically: the west 10 feet of F Street between Jefferson Avenue and Madison Avenue; the north 10 feet of Jefferson Avenue between F Street and G Street; the east 10 feet of G Street between Jefferson Avenue and Madison Avenue; and the south 10 feet of Madison Avenue between F Street and G Street. Approval of the Vacation would allow for development of the adjacent parcels up to the back of the existing sidewalks along the bordering streets of the applicant's property. Privatization of the alley will allow for future development of the adjacent parcels.

As this request would not eliminate public street access to any abutting parcel, will not result in a reduced traffic handling capability, and does not conflict with any existing city requirements, staff recommends approval.

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |  |
|--|--|
| 03/04/92   | The City Council approved a Rezoning (Z-0011-92) from R-3 (Limited Multiple Residence) and R-4 (Apartment Residence) to C-V (Civic) on property located adjacent to the south side of Madison Avenue, east and west of F Street (APNs 139-27-210-030, 031 and 032). The Planning Commission and staff recommended approval. The Rezoning request included plans for a 4,423 square foot west addition to the existing church at 1117 F Street.                                     |
| 08/18/99   | The City Council approved a request for a General Plan Amendment (GPA-0023-99) to add MLA (Medium-Low Attached) as a land use category and to amend the densities allowed for the L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), and H (High Density Residential) land use categories for the land use maps of the Southwest and Southeast Sectors of the General Plan. The Planning Commission and staff recommended approval. |

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|--|---|
| 08/21/02   | The City Council approved a request to amend a portion of the West Las Vegas Plan (GPA-0022-02) from M (Medium Density Residential) to PF (Public Facilities) on approximately 2.9 acres north of Adams Avenue, east of G Street; a request for a Rezoning (Z-0047-02) from R-4 (High Density Residential), R-3 (Medium Density Residential) under Resolution of Intent to C-V (Civic), and R-3 (Medium Density Residential) to C-V on 2.73 acres north of Adams Avenue, east of G Street; and a Site Development Plan Review [Z-0047-02(1)] for a parking lot and a Waiver of required perimeter landscaping on 0.33 acres at 612 and 616 Madison Avenue. Staff recommended approval of all items, with the exclusion of Assessor's Parcel Number 139-27-210-072 on the General Plan Amendment and the Rezoning. |
| 02/19/03   | The City Council approved a Review of Conditions 5 and 6 (ROC-1798) of an approved Site Development Plan Review [Z-0047-02(1)] to allow a 58-foot by 10-foot landscape planter at 602 Madison Avenue and to allow a chain link fence with vinyl coated screening along the west property line, extending from the end of the existing wrought iron fence. Staff recommended approval.   |
| 09/19/07   | A Site Development Plan Review (SDR-24681) for expansion of the existing church site at 1117 F Street was submitted to the Planning and Development Department for review. This item requires plan revisions and is tentatively scheduled for the 12/06/07 Planning Commission meeting.   |
| 11/08/07   | The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #12/ss).  |
| <b><i>Related Building Permits/Business Licenses</i></b>                       |   |
| 03/11/92   | A building permit (#92138856) was issued for an addition to an existing church at 1117 F Street. A final inspection was completed 07/27/94.   |
| 06/13/96   | A building permit (#96011746) was issued for a wrought iron fence at 1117 F Street. A final inspection was completed 01/06/97.  |
| <b><i>Pre-Application Meeting</i></b>  |   |
| 08/02/07   | A pre-application meeting is not required for this request; however, a meeting was held in conjunction with a proposed expansion to the existing church site on the adjacent parcels where vacation of the alley separating the church property was recommended. The need for recordation of a reversionary map to erase existing platted lot lines was discussed, as well as the issue of parking to accommodate the additional construction.  |
| <b><i>Neighborhood Meeting</i></b>   |   |
| A neighborhood meeting is not required for this application, nor was one held. |   |
| <b><i>Field Check</i></b>  |   |
| 10/03/07   | The subject site includes a church, a parking lot north of Madison Avenue, a parking lot east of F Street, a child care center and some vacant lots. The child care center and parking areas are gated with eight-foot painted wrought iron. A paved 20-foot alley bisects the site between Madison and Jefferson Avenues.  |

| <i>Special Districts/Zones</i>                    | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| <b>Special Area Plan</b>                          |            |           |                   |
| West Las Vegas Plan                               | X          |           | Y                 |
| <i>Special Districts/Zones</i>                    | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| <b>Special Purpose and Overlay Districts</b>      |            |           |                   |
| C-V Civic District                                | X          |           | Y                 |
| A-O Airport Overlay District (175 Feet)           | X          |           | Y                 |
| <b>Trails</b>                                     |            | X         | N/A               |
| <b>Rural Preservation Overlay District</b>        |            | X         | N/A               |
| <b>Development Impact Notification Assessment</b> |            | X         | N/A               |
| <b>Project of Regional Significance</b>           |            | X         | N/A               |

## DESCRIPTION

The rights-of-way proposed to be vacated are described as a twenty foot (20') wide public right-of-way commencing at the west right-of-way line of F Street, approximately one hundred forty feet (140') south of the right-of-way line of Madison Avenue, and extending westerly approximately three hundred feet (300') to the east right-of-way line of G Street;

the west ten feet (10') of F Street, seventy feet (70') wide, commencing at the north right-of-way line of Jefferson Avenue and extending northerly approximately three hundred feet (300') to the south right-of-way line of Madison Avenue;

the south ten feet (10') of Madison Avenue, seventy feet (70') wide, commencing at the west right-of-way line of F Street and extending westerly approximately three hundred feet (300') to the east right-of-way line of G Street;

the east ten feet (10') of G Street, seventy feet (70') wide, commencing at the south right-of-way line of Madison Avenue and extending southerly approximately three hundred feet (300') to the north right-of-way line of Jefferson Avenue and;

the north ten feet (10') of Jefferson Avenue, seventy feet (70') wide, commencing at the east right-of-way line of G Street and extending easterly approximately three hundred feet (300') to the west right-of-way line of F Street;

said property being a portion of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) of Section 27, Township 20 South, Range 61 East, M.D.M.

## ANALYSIS

### **A) Planning discussion**

The vacation of right-of-way is proposed in anticipation of a Site Development Plan Review for the expansion of the existing church on the adjacent parcels. This request is expected to be heard at a future Planning Commission meeting. Additional parking for that site will be located within the alley segment of this request. Vacation of the right-of-way along the perimeter of the block that the alley bisects will allow for construction up to the back of sidewalk without encroachment into public right-of-way. The request would not block access to any other parcels, as the applicant owns all of the property on this block.

### **B) Public Works discussion**

The following information is presented concerning this request to vacate certain public street rights-of-way:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Uniform, as it is to vacate an entire public alley and excess right-of-way for development purposes.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, as it will eliminate an alley and excess right-of-way that will be incorporated into the development of the adjacent parcels.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes, it is to vacate a public alley and excess right-of-way along four public streets on an entire block whereby all parcels have the same owner.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, a Site Development Plan Review was submitted to the City but is being held to address design issues.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 0

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 5 by City Clerk

**APPROVALS** 0

**PROTESTS** 0